

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, June 21, 2012

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.*
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.*
- 3. Items removed from the Consent Agenda are considered separately.*
- 4. One roll call vote is taken to cover all Consent Agenda Items.*

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 8 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Absent: 1 - Cynthia M. Santos

Approval of Previous Board Meeting Minutes

A motion was made by Kathleen Therese Meany, seconded by Barbara J. McGowan, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 12:40 p.m., President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

1 [12-0858](#) Report on payment of principal and interest for outstanding District bonds due on June 1, 2012

Attachments: [DS 2012-06 reports att.pdf](#)

Published and Filed

Procurement Committee

Report

2 [12-0860](#) Report on Advertisement of Request for Proposal 12-RFP-25 Farm Management Support Services, estimated cost \$186,000.00, Account 101-68000-601170, Requisition 1338962
Published and Filed

3 [12-0862](#) Report of bid opening of Tuesday, June 12, 2012
Published and Filed

4 [12-0863](#) Report of bid opening of Tuesday, June 5, 2012
Published and Filed

5 [12-0874](#) Report on rejection of bids for Contract 12-023-11 Furnish and Deliver Lab Chemicals to Various Locations for a One (1) Year Period, estimated cost \$65,000.00.
Published and Filed

6 [12-0876](#) Report on rejection of bids for Contract 08-170-3D, Office Shop & Storage Facility Service Tunnel Rehabilitation, Stickney Water Reclamation Plant, estimated cost \$605,000.00
Published and Filed

7 [12-0885](#) Report on advertisement of Request for Proposal 12-RFP-26 Pharmacy Benefits Management Services, for a three-year period, effective January 1, 2013 to December 31, 2015, Account 101-25000-601250
Published and Filed

Authorization

8 [12-0869](#) Authorization to amend Board Order of June 7, 2012, regarding issue purchase order and enter into an agreement with Autodesk Inc. for the renewal of the Constructware online program and consulting support, Agenda Item No. 22, File No. 12-0813
Approved

9 [12-0875](#) Authorization to amend Board Order of June 7, 2012, regarding Authority to advertise Contract 12-107-11 services for Odorous Gaseous Analysis, estimated cost \$75,000.00, Account 101-16000-612490, Requisition 1342220, Agenda Item No. 17, File No. 12-0845
Approved

Authority to Advertise

10 [12-0877](#) Authority to advertise Contract 12-828-11 Furnishing, Delivering, and Installing 80kVA Uninterruptible Power Supply at the Calumet Water Reclamation Plant, estimated cost \$90,000.00, Account 101-68000-612650, Requisition 1342570
Approved

11 [12-0893](#) Authority to advertise Contract 12-827-11 Repair and Refurbishing of Variable Frequency Drives at Various Locations, estimated cost \$215,400.00, Accounts 101-67000/68000/69000-612600/612650, Requisitions 1333507, 1333848, 1338195, 1339255, and 1339267
Approved

12 [12-0894](#) Authority to advertise Contract 12-703-21 Furnish and Deliver a Gas Detection System to the Hanover Park Water Reclamation Plant, estimated cost \$70,000.00, Account 201-50000-645780, Requisition 1335452
Approved

13 [12-0900](#) Authority to advertise Contract 12-652-11 Furnishing and Delivering Manhole Frames and Covers to Various Service Areas, estimated cost \$90,022.00, Accounts 101-67000/68000/69000-623300, Requisitions 1339939, 1343696 and 1343709
Approved

14 [12-0910](#) Authority to advertise Contract 12-196-1P Furnish, Deliver and Install One Digital Wide Format Reprographic System with Three Year Maintenance Service, Main Office Building Annex, estimated cost \$51,000.00, Accounts 101-50000-612990 and 634990, Requisition 1342910 *(As Revised)*
Approved

Issue Purchase Order

15 [12-0872](#) Issue purchase order for Contract 12-632-11, Furnish and Deliver Sodium Hypochlorite to Various Locations, to K. A. Steel Chemicals, Inc. in an amount not to exceed \$1,166,892.40, Account 101-67000, 68000, 69000-623560, Requisitions 1335010, 1333496, 1332592, 1331726, 1329582, and 1334750
Approved

16 [12-0880](#) Issue purchase order and enter into an agreement with Hach Company, for a Preventative Maintenance Plan at Various Locations, in an amount not to exceed \$26,550.00, Account 101-16000-612970, Requisition 1342216
Approved

17 [12-0889](#) Issue a purchase order and enter into an agreement with Tetra Tech EM, Inc., for professional services in connection with environmental site investigations of MWRDGC-owned land in an amount not to exceed \$375,000.00, Account 101-66000-601170, Requisition 1340325

Approved

18 [12-0905](#) Issue purchase order and enter into an agreement with Dr. Charles "Steve" Melching, to Evaluate the Allocation of Discretionary Diversion from Lake Michigan, in an amount not to exceed \$169,000.00, Account 101-16000-601170, 201-50000-601170, Requisition 1344325

Approved

Award Contract

19 [12-0864](#) Authority to award Contract 12-004-11, Furnish and Deliver Structural and Stainless Steel to Various Locations, for a One (1) Year Period, Group A to Addison Building Materials Company Inc., in an amount not to exceed \$101,703.77, and Group B to Nak-Man Corporation, in an amount not to exceed \$59,456.00, Account 101-20000-623030

Approved

20 [12-0871](#) Authority to award Contract 12-839-11, Services to Manually Clean the TARP Bar Screens at the Calumet Water Reclamation Plant, to Independent Mechanical Industries, Inc., in an amount not to exceed \$454,540.00, Account 101-68000-612600, Requisition 1334302

Approved

21 [12-0873](#) Authority to award Contract 12-017-11, Furnish and Deliver Electrical Supplies, Wire and Batteries to Various Locations for a One (1) Year Period, Groups A and B, to Evergreen Supply Company, for a total amount not to exceed \$137,236.53, and Group C to Helsel-Jepperson Electrical, Inc., in an amount not to exceed \$5,572.68, Account 101-20000-623070

Deleted by the Executive Director

22 [12-0899](#) Authority to award Contract 12-924-11, Furnish, Deliver and Install Fire Detection System at the Westchester Pumping Station, to MG Electric Service Company, Inc., in an amount not to exceed \$33,700.00, Account 101-69000-612780, Requisition 1334540

Approved

Increase Purchase Order/Change Order

23 [12-0882](#) Authority to increase Contract 07-168-3P Scum Concentration, Centrifuge Bldg., Prelim. Tanks, Imhoff Tanks & Elevator Improvements, Diffuser Plates & Trailer Replacement, SSA, LASMA, to IHC Construction Companies, LLC, in an amount of \$138,000.00, from an amount of \$23,277,241.77, to an amount not to exceed \$23,415,241.77, Accounts 401-50000-645750 and 645780, Purchase Order 5001198

Attachments: [CO 07-168-3P.PDF](#)

Approved

24 [12-0884](#) Authority to decrease Contract 08-RFP-27, Legal Services for Workers' Compensation Defense, to Dennis Noble & Associates, P.C. in an amount of \$1,670.31 from an amount of \$255,000.00 to an amount not to exceed \$253,329.69; to Scopelitis, Garvin, Light, Hanson & Feary, P.C. in an amount of \$11,606.34, from an amount of \$170,000.00 to an amount not to exceed \$158,393.66; and to Neuson Law, P.C. in an amount of \$10,268.62 from an amount of \$60,000.00 to an amount not to exceed \$49,731.38, Account 101-30000-601170, Purchase Orders 3056303, 3056302, and 3056304

Attachments: [08-RFP-27 Change Order Logs.PDF](#)

Approved

25 [12-0886](#) Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, CWRP, to F.H. Paschen/S.N. Nielsen/IHC Construction, Joint Venture, in an amount of \$12,352.50, from an amount of \$233,903,973.01, to an amount not to exceed \$233,916,325.51, Account 401-50000-645650, Purchase Order 5000954

Attachments: [CO 07-220-3P.PDF](#)

Approved

26 [12-0887](#) Authority to increase Contract 01-198-AD Demolition of Sludge Disposal Building, Rehabilitation of P&B House & Coarse Screen Building at the Stickney Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$38,357.92, from an amount of \$31,279,764.81 to an amount not to exceed \$31,318,122.73, Accounts 101-50000-612680, 401-50000-645680, and 645780, Purchase Order 5000961

Attachments: [CO 01-198-AD.pdf](#)

Approved

27 [12-0888](#) Authority to decrease Contract 08-171-3P Westside Imhoff Battery A and Skimming Tank Demolition, SWRP, to Sollitt/Sachi/Alworth JV in an amount of \$6,264.00, from an amount of \$33,253,918.00, to an amount not to exceed \$33,247,654.00, Account 401-50000-645650, Purchase Order 5001182

Attachments: [CO 08-171-3P.PDF](#)

Approved

28 [12-0897](#) Authority to increase purchase order and amend the agreement with the law firm of Beveridge & Diamond, P.C. to represent the District in the case of the *United States of America and State of Illinois v. Metropolitan Water Reclamation District of Greater Chicago*; Civil Action No. 1:11-cv-08859 in an amount of \$100,000.00, from an amount of \$1,800,000.00, to an amount not to exceed \$1,900,000.00, Account 101-30000-601170, Purchase Order 3045395

Attachments: [6.21.12 B&D PO Increase.pdf](#)

Approved

29 [12-0902](#) Authority to increase Contract 08-865-3P Aeration Tanks and Elevators Rehabilitation, NSWRP, KWRP, EWRP, HPWRP and Bartlett P.S., to IHC Construction Companies, L.L.C. in an amount of \$91,866.50, from an amount of \$14,174,691.96, to an amount not to exceed \$14,266,558.46, Accounts 401-50000-645750 and 645780, Purchase Order 5001225

Attachments: [CO 08-865-3P.PDF](#)

Approved

30 [12-0907](#) Authority to decrease Contract 11-925-21 Rehabilitate One Electric Motor at the Stickney Water Reclamation Plant, to Midwest Service Center, LLC, in an amount of \$13,018.35 from an amount of \$312,950.00 to an amount not to exceed \$299,931.65, Account 201-50000-645750, Purchase Order 5001302

Approved

31 [12-0908](#) Authority to increase Contract 11-697-11, Demolition of Lake River Terminal and Other Derelict Buildings on District Property in Cook County, IL, Group A, to Brandenburg Industrial Service Co., in an amount of \$115,500.00 from an amount of \$1,048,308.00, to an amount not to exceed \$1,163,808.00, Account 901-30000-667220, Purchase Order 5001253

Approved

Engineering Committee

Report

32 [12-0892](#) Report on change orders authorized and approved by the Director of Engineering during the month of May 2012

Attachments: [Attachment 1 \(Report on Change Orders\) 0001.pdf](#)
[Attachment 2 \(paragraph update\) 0001.pdf](#)

Published and Filed

Judiciary Committee

Authorization

33 [12-0867](#) Authority to settle *Harvey Montgomery v. Melvin Mendez and the Metropolitan Water Reclamation District of Greater Chicago*, 12 L 2473, relating to the March 17, 2011 vehicle accident with employee Melvin Mendez, Account 901-30000-667220

Approved

34 [12-0868](#) Authority to settle the Workers' Compensation claim of Dennis Riordan vs. MWRDGC, Case No. 10 WC 21080, Illinois Workers' Compensation Commission (IWCC), in the sum of \$60,000.00, Account 901-30000-601090

Approved

35 [12-0909](#) Authorization to Settle Claims of Robinette Demolition, Inc. and Future Environmental, Inc. under Contract 09-439-11, "Demolition of the Former Torco Terminal on District Main Channel" in the amount of \$115,000.00 (As Revised)

Deferred by Mariyana T. Spyropoulos

Maintenance & Operations Committee

Reports

36 [12-0861](#) Report on change orders authorized and approved by the Director of Maintenance and Operations during the month of May 2012.

Attachments: [Change orders for May 2012.pdf](#)

Published and Filed

Pension, Human Resources & Civil Service Committee

Report

37 [12-0906](#) Report on the 2011 Comprehensive Annual Financial Report of the Metropolitan Water Reclamation District Retirement Fund
Published and Filed

Approval of the Consent Agenda with the exception of Items: 21, 35, and 38

A motion was made by Patricia Horton, seconded by Barbara J. McGowan, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 7 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Terrence J. O'Brien

Absent: 2 - Cynthia M. Santos, Mariyana T. Spyropoulos

Additional Agenda Items

38 [12-0935](#) Authority to award Contract 12-611-11, Repair and Alterations to Various Water Reclamation Facilities in the Stickney Service Area and Other Installations, to Independent Mechanical Industries, Inc., in an amount not to exceed \$6,437,355.20, Accounts 101-67000, 68000, 69000-612600, 612650, Requisitions 1339259, 1339272, and 1339257 (As Revised)
Deferred by Michael A. Alvarez

Meeting Summary

Speakers

George Blakemore, concerned citizen, and Bob Israel, Save Our Community Coalition, voiced concerns regarding employment opportunities with contractors and sub-contractors

Summary of Requests

David St. Pierre

1. *Mariyana T. Spyropoulos requested a list of items that will be farmed on the land (Re: Procurement Item #2)*
2. *Frank Avila requested a report on the reductions. Mariyana T. Spyropoulos requested status reports every 3 -6 months throughout the duration of the study (Re: Procurement Item #18)*
3. *Terrence J. O'Brien requested a detailed report (Judiciary Item #35)*
4. *Michael A. Alvarez requested a detailed report (Procurement Item #38)*
5. *Frank Avila requested the list of members on the Blue Panel Committee*

Thomas Liston

6. *Frank Avila requested remediation reports (Re: Procurement Item #17)*

Ronald M. Hill

7. *Debra Shore requested a list of land leases that will expire in the next three years (Re: Procurement Item #17)*
8. *Kathleen Therese Meany requested a status report (Re: Procurement Item #28)*

Study Session

A Study Session will be held for the Committee on Procurement on Thursday, June 28, 2012 at 2:00 p.m. at 100 E. Erie, Chicago Illinois. The purpose of the Study Session is to discuss Change Orders.

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for July 12, 2012, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: June 28, 2012 Date agenda items are due to the Executive Director for signature and preparation: June 29, 2012 Date all agenda items are due to the Executive Director: 1:00 p.m., July 3, 2012

Adjournment

A motion was made by Barbara J. McGowan, seconded by Patricia Horton, that when the Board adjourns it adjourns to meet on Thursday, July 12, 2012, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Cynthia M. Santos

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this June 21, 2012, are hereby approved.

APPROVED:

**/s/ Terrence J. O'Brien
President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago**

June 21, 2012